

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALEX ZANKICH and WILLIAM RUCKER,
individually and on behalf of all others
similarly situated,

Plaintiffs,

WELLS FARGO BANK, N.A.,

Defendant.

No. C08-01476 RSM

**STIPULATION AND ORDER
AMENDING CLASS
CERTIFICATION BRIEFING
SCHEDULE, OTHER PRE-TRIAL
DEADLINES, AND TRIAL DATE**

STIPULATION

On March 27, 2009, the Court issued an Order Setting Trial Date and Related Dates in this matter (Dkt. 16). Under the schedule in that Order, Plaintiffs' Motion for Class Certification is due on April 15, 2009. The parties have been conducting discovery for several months and those efforts are well underway. The parties exchanged their respective written discovery requests at the end of December 2008. Defendant Wells Fargo is still producing documents to Plaintiffs, and in the past week Wells Fargo has provided approximately 9,000 additional pages of new materials to Plaintiffs. Wells Fargo expects to complete its production of documents to Plaintiffs in the near future. The parties agree that Plaintiffs need adequate time to review the materials and conduct follow-up discovery before filing their Motion for Class Certification, and Plaintiffs anticipate requiring sufficient time (at least forty-five (45) days) from when Wells Fargo completes its production of documents to allow Plaintiffs to review the materials produced

1 by Wells Fargo, conduct appropriate depositions to the extent necessary, and then submit
2 Plaintiffs' Motion for Class Certification to the Court. The parties agree that moving the class
3 certification deadline to allow Plaintiffs this time will require that subsequent dates in the case
4 schedule be adjusted as well. For example, the expert disclosures and expert reports necessary in
5 the case will depend upon class certification issues being resolved, so the expert disclosure
6 deadline should follow the deadline for motion for class certification by a reasonable period of
7 time. Similarly, the parties anticipate needing time to conduct discovery following expert
8 disclosures and reports, so moving the discovery deadline to a date two months after the expert
9 disclosures deadline will allow for the orderly completion of discovery.

10 Accordingly, subject to the approval of the Court, the parties hereby stipulate to and
11 respectfully request an order amending the class certification deadline, other pre-trial deadlines,
12 and trial date set forth in the Court's March 27, 2009 Order (Dkt. 16). Specifically, the parties
13 stipulate and respectfully request that Plaintiffs' motion for class certification filing deadline and
14 the trial date and corresponding deadlines identified in that Order be continued by eighty-four
15 (84) days, as follows:

16	Jury Trial:	May 17, 2010
17	Expert Witness Disclosure:	October 30, 2009
18	Motion for Class Certification Due:	July 8, 2009 (and will be noted on the 19 Court's calendar for the fifth Friday after the date of filing)
21	Completion of Discovery:	December 23, 2009
22	Dispositive Motion Deadline:	January 27, 2010
23	Mediation Deadline:	October 7, 2009
24	Motions in Limine Due:	April 19, 2010
25	Pretrial Order Due:	May 5, 2010
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1 Trial Briefs Due: May 12, 2010

2 Proposed Voir Dire/Jury Instructions Due: May 12, 2010

3 STIPULATED AND AGREED to this 1st day of April, 2009.

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16 Attorneys for Defendant

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18 ORDER

19 IT IS SO ORDERED.

20 DATED this 6 day of April, 2009.

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RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE